IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.R.UDAYABHANU

TUESDAY, THE 3RD JULY 2007 / 12TH ASHADHA 1929

Crl.Rev.Pet.No. 1000 of 2000()

CRA.141/1999 of SPL.COURT SPE/CBI-II & IV ADDL.SESSIONS COURT, ERNAKULAM
CC.469/1995 of CHIEF JUDL.MAGISTRATE, ERNAKULAM

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REVN. PETITIONER:

M.P.AUGUSTINE,
PROPRIETOR,
NEW SHOE MART,
MUTHANGATHU HOUSE,
MOOLAMPILLI P.O.

BY ADV. SRI.T.D.ROBIN

RESPONDENTS:
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1. M/S.ASHAN FOOT WEARS,
SHOPPING CUM-OFFICE COMPLEX,
BROADWAY, ERNAKULAM,
REPRESENTED BY ITS PROPRIETOR,
K.K.HASSAN.

2. STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA.

BY PUBLIC PROSECUTOR, SRI AMJAD ALI

THIS CRIMINAL REVISION PETITION HAVING BEEN FINALLY HEARD ON 03/07/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

ORDER ON CRL.M.P.NO.5372/2000 in CRL.R.P.NO.1000/2000

CLOSED

SD/- K.R.UDAYABHANU, JUDGE

03/07/2007

\\TRUE COPY//

K.R.UDAYABHANU, J.

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Crl.R.P.No.1000/2000(A)

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Dated this the 3rd day of July, 2007

O R D E R

The revision petitioner stands convicted for the offence under Section 138 of the Negotiable Instruments Act and sentenced to pay a fine of Rs.15,000/- and in default to undergo simple imprisonment for three months. Out of the fine amount, if realised, a sum of Rs.11,500/- is ordered to be given to the complainant as compensation.

2. It is submitted by the revision petitioner that the matter has been settled and he has produced Annexure-I copy of the receipt from which it is seen that the complainant has received a sum of Rs.9,000/- from the revision petitioner/accused towards final settlement of the amount due in C.C.No.469/1995.

3. Notice sent to the complainant was served but there is no appearance.

In the above circumstances, I find that there is nothing to doubt about the genuineness of Annexure-I receipt. Revision petition is allowed and the accused is acquitted.

K.R.UDAYABHANU,
Judge

ms

K.R.UDAYABHANU, J.

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Crl.R.P.No.1000/2000(A)

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O R D E R

3rd July, 2007